

Introduction and first reading:	11/12/02
Public hearing:	11/16/02
Second reading and enactment:	11/16/02

### INFORMATION ON PROPOSED ORDINANCE

#### Title

AN ORDINANCE to vacate a portion of the public street right-of-way at 1700 Duke Street, in the City of Alexandria, Virginia.

#### Summary

The proposed ordinance vacates a 2,606 square foot triangular shaped portion of the public right-of-way at 1700 Duke Street, in the City of Alexandria, Virginia.

#### Sponsor

#### Staff

Eileen P. Fogarty, Director, Planning and Zoning  
Ignacio B. Pessoa, City Attorney

#### Authority

§ 2.03, Alexandria City Charter  
§ 15.2-2008, Code of Virginia (1950), as amended

#### Estimated Costs of Implementation

None

#### Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to vacate a portion of the public street right-of-way at 1700 Duke Street, in the City of Alexandria, Virginia.

WHEREAS, JBG Rosenfield Duke Street, LLC ("Applicant"), the owner or contract purchaser of the property at 1700 Duke Street in the City of Alexandria, Virginia, has applied for the vacation of a triangular shaped portion of the public right-of-way adjacent to the Applicant's property, of approximately 2,606 square feet; and

WHEREAS, the Planning Commission of the City of Alexandria at one of its regular meetings recommended approval of the vacation such portion of the public right-of-way at this location; and

WHEREAS, the Council of the City of Alexandria has approved the recommendation of the Planning Commission; and

WHEREAS, pursuant to § 15.2-2008 of the Code of Virginia (1950), as amended, the City of Alexandria has required that, as a condition of this vacation, the portion of right-of-way to be vacated by this ordinance be purchased by the Applicant at its fair market value; and

WHEREAS, viewers, Paul Smedburg, Libby Cooperman and Rodger Digilio have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, has determined that strip of the public street right-of-way to be vacated is no longer needed for public use and that it is in the public interest that it be vacated; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That a triangular shaped portion of the public right-of-way of approximately 2,606 square feet adjacent to 1700 Duke Street, as shown on the attached plat be, and the same hereby is, vacated.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject the conditions set forth below:

(1) The Applicant shall prepare a plat of consolidation, showing the property vacated, and consolidating such property with the existing abutting lot, and the plat of consolidation shall be filed with the director of planning and zoning and among the land records of the City.

(2) The switching device located in the island at the intersection of Duke Street and

Holland Lane shall be relocated to an enclosed location not visible from the public right-of-way, and in accordance with the requirements of Dominion Virginia Power.

(3) The Applicant shall pay the City the sum of \$181,800 for the vacated property.

Section 3. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 4. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 5. That this ordinance shall be effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to the Applicant. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and the Applicant as grantee, and such recordation shall be done by the grantee at its own expense.

KERRY J. DONLEY  
Mayor

Attachment: Plat of vacation

Introduction: 11/12/02

First Reading: 11/12/02

Publication:

Public Hearing:

Second Hearing:

Final Passage:

C3	121.51'	91.00'	71.75'	76°30'19"	112.68'	S29°50'55"E
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## FLOOD NOTE:

THE PROPERTY DELINEATED HEREON APPEARS TO LIE ENTIRELY WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF 500 YEAR FLOOD PLAIN) AS SHOWN ON FLOOD INSURANCE RATE MAP FOR THE CITY OF ALEXANDRIA, VIRGINIA, COMMUNITY PANEL NUMBER 515519 0005 D, DATED MAY 15, 1991.

## NOTES:

- 1.) THE SUBJECT PROPERTY SHOWN HEREON IS IDENTIFIED ON THE CITY OF ALEXANDRIA, VIRGINIA TAX MAP NO. 073.02-BLOCK 09-AS PARCELS 2 AND 3 AND ARE ZONED CDD-1.
- 2.) THE SUBJECT PROPERTY SHOWN HEREON WAS ACQUIRED BY DUKE STREET ASSOCIATES, L.P. BY DEED BOOK 1128 AT PAGE 1068 AND DEED BOOK 1204 AT PAGE 738, ALL AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA, VIRGINIA.
- 3.) TITLE REPORT FURNISHED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, COMMITMENT NO. 01-0653 WITH AN EFFECTIVE DATE OF OCTOBER 24, 2001 HAS BEEN INCORPORATED INTO THIS SURVEY.
- 4.) THE HORIZONTAL DATUM SHOWN HEREON, VIRGINIA STATE GRID NORTH BASED ON A PLAT ENTITLED "PLAT SHOWING VARIOUS EASEMENTS AND RESUBDIVISION OF VARIOUS LOTS, CARLYLE" PREPARED BY PATTON HARRIS RUST & ASSOCIATES AND DATE MAY 9, 1994 RECORDED IN DEED BOOK 1510 AT PAGE 160 AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA, VIRGINIA.

N/F  
MAP No. 073.02-09-01  
SOCIETY FOR HUMAN RESOURCE MGMT.  
D.B. 1507 PG. 1315  
ZONE: CDD-1  
USE: OFFICE BUILDING

N/F  
MAP No. 073.02-09-06  
SOCIETY FOR HUMAN RESOURCE MGMT.  
D.B. 1707 PG. 1075  
ZONE: CDD-1  
USE: OFFICE BUILDING



## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED BY THIS PLAT, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A PLAT OF THE LAND ACQUIRED BY DUKE STREET ASSOCIATES, L.P. BY DEED RECORDED IN DEED BOOK 1128 AT PAGE 1068 AND DEED BOOK 1204 AT PAGE 738, ALL AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA, VIRGINIA; AND THAT PROPERTY CORNERS MARKED ☒ OR ☐ HAVE BEEN RECOVERED OR SET AS INDICATED, BASED ON A CURRENT FIELD SURVEY.

GIVEN UNDER MY HAND THIS 22nd DAY OF April, 2002.

*Robert R. Cochran*  
ROBERT R. COCHRAN  
CERTIFIED LAND SURVEYOR  
VIRGINIA NO. 2012

GEORGES LANE

(24' RIGHT-OF-WAY)

N08°24'14"E 278.87'

C1 L=15.71'  
R=10.00'  
L=1.64'

N81°35'46"W 120.50'

MAP 1  
BURKE & HER  
D.B.

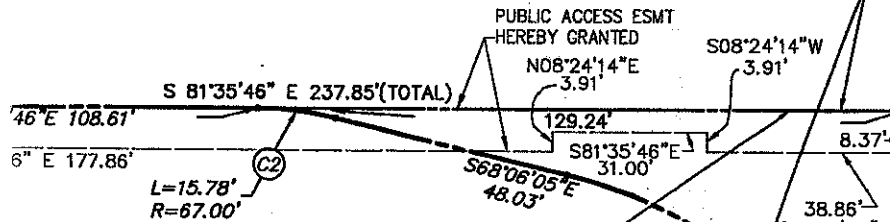
USE:

GRAPHIC SC



( IN FEET )  
1 inch = 25 ft

PORTION OF DUKE STREET RIGHT-OF-WAY  
HEREBY VACATED (2606 SQ.FT. OR 0.05983 AC.)



**PROPOSED SITE**  
(71,784 SF OR 1.64793 AC)

HEREBY DEDICATED FOR PUBLIC STREET  
PURPOSES (584 SQ.FT. OR 0.01341 AC.)

#73.02 (09) - 02

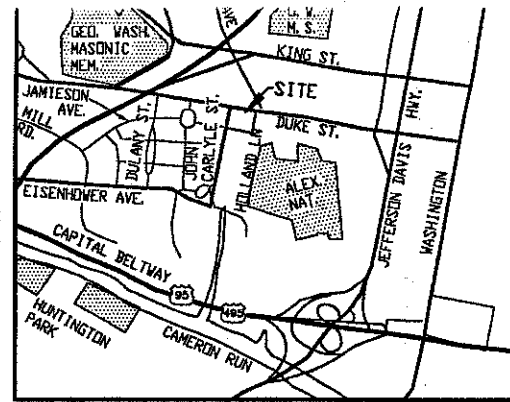
THE PROPERTY OF  
**DUKE STREET ASSOCIATES, L.P.**

D.B. 1128, PG. 1068  
D.B. 1204, PG. 738  
EXISTING SITE  
(69,762 SF OR 1.60151 AC)

APPROXIMATE LOCATION  
/L V.E.P.C.O. ESM'T  
D.B. 495 PG. 312

V/F  
73.02-09-07  
BANK AND TRUST CO.  
9, PG. 1093  
CDD-1  
ANCIAL INST.

N/F  
MAP No. 073.02-09-08  
CARLYLE DEVELOPMENT CORPORATION  
D.B. 1585, PG. 698  
ZONE: CDD-1  
USE: VACANT LAND



**VICINITY MAP**  
SCALE: 1"=2000'

**HOLLAND LANE**  
(RIGHT-OF-WAY VARIES)

RECEIVED

APR 22 2002

PLANNING & ZONING

1700 DUKE ST - Vacation at  
Duke & Holland for Mixed Use Dev.  
VAC #2002-0001 jf

SHEET 1 OF 1  
PLAT SHOWING  
VACATION & DEDICATION  
OF A PORTION OF  
DUKE STREET - ROUTE #236,  
HOLLAND LANE,  
AND VARIOUS EASEMENTS  
ON THE PROPERTY OF

**DUKE STREET  
ASSOCIATES, L.P.**

DEED BOOK 1128 PAGE 1068  
DEED BOOK 1204 PAGE 738  
CITY OF ALEXANDRIA, VIRGINIA  
SCALE: 1"=25' DATE: APRIL, 2002



ENGINEERS PLANNERS LANDSCAPE ARCHITECTS SURVEYORS CONSTRUCTION INSPECTORS

VIA INCORPORATED  
8180 GREENSBORO DRIVE SUITE 200 W ALEXANDRIA, VIRGINIA 22302  
(703) 446-7200 FAX (703) 776-2787  
MCLEAN, VA GAITHERSBURG, MD

DWG#6542600

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Public Hearing will be held by the City Council of the City of Alexandria, Virginia, in the Council Chamber, City Hall, City of Alexandria, Virginia, on Saturday, November 16, 2002, at 9:30 a.m., or as soon thereafter as may be heard on the hereinafter described ordinances.

TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Sections 4-102 (PERMITTED USES) and 4-103 (SPECIAL USES) under Section 4-100 (CL/COMMERCIAL LOW ZONE), Sections 4-202 (PERMITTED USES) and 4-203 (SPECIAL USES) under Section 4-200 (CC/COMMERCIAL COMMUNITY ZONE), Sections 4-302 (PERMITTED USES) and 4-303 (SPECIAL USES) under Section 4-300 (CSL/COMMERCIAL SERVICE LOW ZONE), Sections 4-402 (PERMITTED USES) and 4-403 (SPECIAL USES) under Section 4-400 (CG/COMMERCIAL GENERAL ZONE), Section 4-502 (PERMITTED USES) and 4-503 (SPECIAL USES) under Section 4-500 (CD/COMMERCIAL DOWNTOWN ZONE), Sections 4-602 (PERMITTED USES) and 4-603 (SPECIAL USES) under Section 4-600 (CD-X/COMMERCIAL DOWNTOWN ZONE-OLD TOWN NORTH), Sections 4-802 (PERMITTED USES) and 4-803 (SPECIAL USES) under Section 4-800 (OC/OFFICE COMMERCIAL ZONE), Sections 4-902 (PERMITTED USES) and 4-903 (SPECIAL USES) under Section 4-900 (OCM(50)/OFFICE COMMERCIAL MEDIUM (50) ZONE), Sections 4-1002 (PERMITTED USES) and 4-1003 (SPECIAL USES) under Section 4-1000 (OCM(100)/OFFICE COMMERCIAL MEDIUM (100) ZONE), Sections 4-1102 (PERMITTED USES) and 4-1103 (SPECIAL USES) under Section 4-1100 (OCH/OFFICE COMMERCIAL HIGH ZONE), and Sections 4-1202 (PERMITTED USES) and 4-1203 (SPECIAL USES) under Section 4-1200 (I/INDUSTRIAL ZONE), all of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); and Sections 5-102 (PERMITTED USES) and 5-103 (SPECIAL USES) under Section 5-100 (CRMU-L/COMMERCIAL RESIDENTIAL MIXED-USED LOW ZONE), Sections 5-202 (PERMITTED USES) and 5-203 (SPECIAL USES) under Section 5-200 (CRMU-M/COMMERCIAL RESIDENTIAL MIXED-USE MEDIUM ZONE), Sections 5-302 (PERMITTED USES) and 5-303 (SPECIAL USES) under Section 5-300 (CRMU-H/COMMERCIAL RESIDENTIAL MIXED-USE HIGH ZONE), all of Article V (MIXED USE ZONES), and to amend and reordain Article XII (NONCOMPLIANCE AND NONCONFORMITY), by adding thereto a new Section 12-601 (CERTAIN RETAIL SHOPPING ESTABLISHMENT USES DEEMED GRANDFATHERED OR CONFORMING), all of the City of Alexandria Zoning Ordinance (TA No. 2002-0006).

The proposed ordinance accomplishes the final adoption of Text Amendment No. 2002-0006, to require a special use permit for retail uses larger than 20,000 square feet in all commercial, office, industrial and mixed use zones in which retail uses do not presently require special use permit approval (except in the CR/Commercial Regional Zone at the Landmark shopping center), and provides grandfathering rules to protect existing uses which do not have special use permit approval.

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#### TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Section 7-1800 (INSTALLATION OF ATM AND SIMILAR MACHINES ON THE EXTERIOR OF BUILDINGS IN THE HISTORIC DISTRICTS), of Article VII (SUPPLEMENTAL REGULATIONS), of the City of Alexandria Zoning Ordinance (TA NO. 2002-0004). The proposed ordinance accomplishes the final adoption of Text Amendment No. 2002-0004, to revise the automatic teller (ATM) regulations applicable within the Old and Historic Alexandria and Parker-Gray Districts.

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#### TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Section 5-606 (FINAL DEVELOPMENT PLAN APPROVAL), under Section 5-600 (CDD/COORDINATED DEVELOPMENT DISTRICT) of Article V (MIXED USE ZONES); Section 11-303 (ADDITIONAL NOTICE REQUIRED), under Section 11-300 (NOTICE OF PUBLIC HEARINGS) of Division A (ADMINISTRATION AND ENFORCEMENT OF ORDINANCE AND NOTICE OF PUBLIC HEARINGS); Section 11-406 (CONTENTS OF PRELIMINARY SITE PLAN APPLICATIONS), Section 11-407 (PROCEDURES FOR PROCESSING SITE PLAN APPLICATION) and Section 11-409 (ACTION ON SITE PLANS), and to repeal Section 11-408 (NOTICE OF SITE PLAN COORDINATING COMMITTEE), under Section 11-400 (SITE PLAN) of Division B (DEVELOPMENT APPROVALS, all of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance (TA NO. 2002-0005).

The proposed ordinance accomplishes the final adoption of Text Amendment No. 2002-0005, to revise procedures related to the processing of development plan applications.

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#### TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain section 2-1-4 (COMPENSATION OF MEMBERS) of Article A (GENERAL PROVISIONS), Chapter 1 (THE CITY COUNCIL), Title 2 (GENERAL GOVERNMENT), of The Code of the City of Alexandria, Virginia, 1981, as amended.

The proposed ordinance increases the compensation of the mayor from \$25,000 to \$30,500 per year, and of the members of city council from \$20,000 to \$27,500, and provides that the mayor and council members are eligible for the same benefits (other than participation in the Virginia Retirement System) as are provided to full-time city employees. The proposed ordinance also calls for a review of such compensation, every three years and prior to the next ensuing council election, for the purpose of considering a cost-of-living increase in line with that afforded city employees

over the three-year period. These changes are commensurate with the compensation and benefits provided for the chairman and members of the Arlington County Board, and will take effect on July 1, 2003, when the mayor or council members elected on May 6, 2002, take office.

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#### TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to such master plan as Master Plan Amendment No. 2002-0003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

The proposed ordinance accomplishes the final adoption of Master Plan Amendment No. 2002-0003 by changing the land use designation of the property at 1700 Duke Street from CDD/Office/First/Second Floor Retail to CDD/Office/Residential/First/Second Floor Retail.

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#### TITLE OF ORDINANCE

AN ORDINANCE to vacate a portion of the public street right-of-way at 1700 Duke Street, in the City of Alexandria, Virginia.

The proposed ordinance vacates a 2,606 square foot triangular shaped portion of the public right-of-way at 1700 Duke Street, in the City of Alexandria, Virginia.

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#### TITLE OF ORDINANCE

AN ORDINANCE to vacate the public street right-of-way easement of South Street, in the City of Alexandria, Virginia.

The proposed ordinance vacates the public right-of-way easement of South Street, between South Washington Street and South Royal Street, in the City of Alexandria, Virginia.

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#### TITLE OF ORDINANCE

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia, and for the payment of municipal expenditures by providing supplemental appropriations of amounts required to defray certain expenditures and liabilities of the city



for fiscal year 2003, which began on the first day of July 2002 and ends on the thirtieth day of June 2003.

The proposed ordinance makes a supplemental appropriation of funds for the operation of city government in fiscal year 2003.

\* \* \* \* \*

THE PUBLIC IS ADVISED THAT AMENDMENTS OR ADDITIONS MAY BE MADE TO PROPOSED ORDINANCES WITHOUT FURTHER PUBLICATION. IT IS RECOMMENDED THAT PERSONS INTERESTED IN ANY OF THESE ORDINANCES OBTAIN FREE FULL-TEXT COPIES FROM THE CITY CLERK AT CITY HALL. BEVERLY I. JETT, CMC, CITY CLERK

To be published in the:

Northern Virginia Journal on Thursday, November 14, 2002  
Alexandria Gazette Packet on Thursday, November 14, 2002